

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY ANKARA

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E.O. 11652: N/A

TAGS: PDIP, CASC, TU

SUBJECT:REPATRIATION OF AMERICAN PRISONERS IN TURKEY

REFS: (A) ANKARA 9588 (B) ANKARA 9587 (C) STATE
291076 (D) STATE 297789

1. DEPT AWARE IMPORTANCE AND URGENCY OF TURKISH
PRISONER SITUATION AND APPRECIATES YOUR EFFORTS TO
RESOLVE PROBLEM. NONETHELESS, WE CANNOT AT THIS POINT
COMMIT OURSELVES TO NEGOTIATE TREATY OR ESTABLISH
NEGOTIATING TIME SCHEDULE WHICH WE WOULD HAVE DIFFI-
CULTY FULFILLING. CONSIDERABLE HOMEWORK MUST BE DONE
IN WASHINGTON BEFORE CIRCULAR 175 NEGOTIATING AUTHORITY
CAN BE OBTAINED. WE ARE EXPLORING MATTER AS EXPEDITIOUSLY
AS POSSIBLE, BUT SHOULD ELEKDAG OR OTHER GOT OFFICIALS
INDICATE INTEREST IN TREATY, YOU SHOULD FOR TIME BEING
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MERELY SAY YOU WILL REFER ISSUE TO WASHINGTON FOR URGENT
CONSIDERATION.

2. FOR YOUR GUIDANCE, FOLLOWING IS FURTHER EXPLANATION
OF MEXICAN AGREEMENT AND ITS STATUS. THE AGREEMENT WITH
THE GOM WAS PREPARED AND NEGOTIATED OVER A PERIOD FROM

JUNE TO THANKSGIVING WITH PARTICIPATION OF LARGE NUMBERS OF PERSONS FROM L, SCA, ARA AND H. IT ALSO INVOLVED PERSUADING JUSTICE DEPT TO DEDICATE MANPOWER TO THIS PROJECT. JUSTICE DEPT INTEREST IN AGREEMENTS IS INTENSE SINCE THEY WOULD HANDLE TRANSFERS AND POST-TRANSFER CONFINEMENT. THEY ARE ALSO RESPONSIBLE FOR IMPLEMENTING LEGISLATION. ALTHOUGH THERE IS MUCH CARRYOVER FROM ONE COUNTRY TO NEXT, EACH TREATY RAISES UNIQUE PROBLEMS, AS ONGOING CANADIAN NEGOTIATIONS ARE PROVING.

3. IF TREATY WITH TURKEY IS PROPOSED, DEFENSE DEPT CONCURRENCE ALSO IMPORTANT SINCE DECISION WOULD HAVE TO BE MADE RE WHETHER DOD PERSONNEL PRISONERS IN TURKEY SHOULD BE COVERED.

4. SITUATION OF MEXICAN TREATY IN CONGRESS SEEMS UNPROMISING AT MOMENT. IT IS UNCLEAR WHETHER MEXICAN CONGRESS WILL RATIFY BEFORE ADJOURNING JAN 1 UNTIL SEPT. U.S. SENATORS ARE CONCERNED ABOUT UNTESTED CONSTITUTIONAL ISSUES AND POSSIBILITY SERIOUS OFFENDERS WILL BE SET FREE IN THIS COUNTRY. REACTION OF LOCAL LAW ENFORCEMENT OFFICIALS IS GENERALLY ADVERSE. HENCE, OUR STRATEGY IN OBTAINING CONFIRMATION IS NOT CLEAR AT THIS MOMENT. THERE WILL BE AT LEAST SUBSTANTIAL DELAYS BEFORE CONGRESSIONAL APPROVAL.

5. IT WOULD BE HELPFUL TO OUR EXPLORATION OF ALL LIMITED OFFICIAL USE

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THESE ISSUES IF EMB COULD SUPPLY FOLLOWING ASAP:

(A) TRANSLATION OF TURKISH LAWS REFERRED TO IN REF (A); (B) BACKGROUND ON TURKISH LAWS IN THIS AREA, INCLUDING HISTORY AND ANY ARRANGEMENTS WITH OTHER COUNTRIES THAT GAVE RISE TO LAWS; AND (C) ANY AVAILABLE REVIEW OF TURKISH CRIMINAL PROCEDURE SINCE JAGC 1961 COUNTRY LAW STUDY.
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